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MATTHEW J. GALLUZZO

ERIC M. ARNONE

July 29, 2021

Judge John P. Cronan
District Court Judge
United States District Court
Southern District of New York
VIA ECF

Re: United States v. Lazaro Rosabal Fleitas, 19-CR-631(WHP)

Dear Judge Cronan,

I represent Mr. Fleitas in the above-captioned matter pursuant to the Criminal Justice Act. I write to request that the Court order the U.S. Marshals to provide non-custodial transportation for my client so that he may attend his sentencing hearing and his pre-sentence interview. My client lives in Miami, Florida, and has previously been determined to be unable to afford counsel. His financial situation has not markedly improved since that determination, either.

Judge Pauley previously authorized this transportation, pursuant to 18 U.S.C. § 4285 (see Document 29, dated February 4, 2020, attached as Exhibit 1). The U.S. Marshals then arranged for Mr. Fleitas to fly to New York for his presentence interview with the Department of Probation. Although that previous order from Judge Pauley seemingly authorized transportation for Mr. Fleitas' sentencing, I was informed today by the U.S. Marshals that the prior order was too old and that a new order would need to be signed by Your Honor to provide my client with transportation services for his upcoming sentencing on August 18.



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Pursuant to 18 U.S.C. § 4285, this Court may direct the U.S. Marshal to arrange for an indigent defendant's means of non-custodial transportation or furnish the fare for such transportation to the place where his appearance is required, and in addition may direct the U.S. Marshal to furnish that person with an amount of money for subsistence expenses to his destination, not to exceed the amount authorized as a per diem allowance for travel under section 5702(a) of title 5, United States Code. Accordingly, I respectfully request that the Court so order this travel compensation for my client.

Most sincerely,

/s/

Matthew J. Galluzzo, Esq.
The Law Office of Matthew Galluzzo PLLC
11 Broadway Suite 715
New York, New York 10004
(212) 344-5180

CC:

AUSA Emily Johnson
AUSA Kiersten Fletcher
VIA EMAIL AND ECF

This request is granted.

SO ORDERED.
Date: July 30, 2021
New York, New York


JOHN P. CRONAN
United States District Judge



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MEMO ENDORSED

February 4, 2020

Judge William H. Pauley, III
Senior District Court Judge
United States District Court, Southern District of New York
VIA ECF

Re: United States v. Lazaro Rosabal Fleitas, 19-CR-631(WHP)

Dear Judge Pauley,

I represent the defendant in the above-captioned matter pursuant to the Criminal Justice Act. I write to request that the Court order the U.S. Marshals to provide non-custodial transportation for my client so that he may attend his sentencing hearing and his pre-sentence interview. My client lives in Miami, Florida, and has previously been determined to be unable to afford counsel. His financial situation has not improved since that determination, either. Indeed, his wife just had a baby in January 2020 and his financial circumstances are thus even more tenuous. Although my client has been paying for his flights to New York to attend his previous court appearances, that expense has been significant for him and his family.

I am informed by the Probation officer assigned to prepare my client's presentence report that the presentence interview needs to happen in person in New York City. As such, he would need to appear in New York at least twice: once for the interview, and once for his sentencing hearing. Notably, my client has been fully compliant with all aspects of his bail conditions.



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Most sincerely,

/s/ _____

Matthew J. Galluzzo, Esq.
GALLUZZO & ARNONE LLP
11 Broadway Suite 715
New York, New York 10004
(212) 344-5180

CC:

AUSA Emily Johnson
AUSA Kiersten Fletcher
VIA EMAIL AND ECF

Application granted.

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

February 5, 2020